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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PERITAS BRANDS, LLC,  
  
Plaintiff,  
  
v.  
  
LEAPHIGH ANIMALS, LLC,  
  
Defendant.

Case No. 2:23-cv-00483-GMN-DJA

**STIPULATION TO EXTEND  
DEADLINE FOR PLAINTIFF TO FILE  
RESPONSE TO DEFENDANT  
LEAPHIGH ANIMALS, LLC'S  
MOTION TO DISMISS THE  
SEVENTH, EIGHTH, AND NINTH  
COUNTS OF PLAINTIFF'S SECOND  
AMENDED COMPLAINT (ECF 91)**

**(Sixth Request)**

Plaintiff, PERITAS BRANDS, LLC ("Plaintiff" or "Peritas"), and Defendant, LEAPHIGH ANIMALS, LLC, ("Defendant" or "Leaphigh") by and through their respective counsel, hereby stipulate and agree as follows:

1. On March 19, 2024, Plaintiff filed its Second Amended Complaint. *See* ECF 90.
2. On April 18, 2024, Defendant Leaphigh Animals, LLC filed a Motion to Dismiss the Seventh, Eighth, and Ninth Counts of Plaintiff's Second Amended Complaint (the "Motion to Dismiss"). *See* ECF 91.
3. The Court recently entered an Order approving the parties' fifth Stipulation to extend the deadline for Plaintiff to file its Response to Defendant's Motion to Dismiss from August 19, 2024 to September 18, 2024. *See* ECF 101.

4. As noted in the parties' recent Stipulation (ECF 100), the parties have been engaged in productive settlement discussions for a full resolution of this action.

5. Plaintiff's counsel circulated a proposed draft settlement agreement on August 14, 2024.

6. Defendant's counsel is currently reviewing the most recent draft settlement agreement with his client.

7. However, the parties have significantly narrowed the remaining issues under negotiation and are making significant progress in their settlement discussions. Therefore, the parties stipulate to and request an extension of 30 additional days, from September 18, 2024 until **October 18, 2024**, for Plaintiff to file its Response to Defendant's Motion to Dismiss to enable the parties to finalize a settlement agreement and reach a final resolution of this action without incurring the fees associated with further briefing on the pending Motion to Dismiss. The parties remain hopeful that they will be able to reach an agreement for the full resolution of this action and hope to finalize their settlement agreement within the next 30 days.

8. This is the parties' sixth request for an extension of this deadline.

9. The parties respectfully submit that this stipulation is made in good faith and good cause exists to grant the requested extension. DATED: September 16, 2024.

DATED: September 16, 2024.

**WEIDE & MILLER, LTD.**

**HOLLAND & HART LLP**

/s/ Robert J. Cassity

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*Attorneys for Defendant Leaphigh Animals, LLC*

**ORDER**  
IT IS SO ORDERED.

United States District Judge

Dated: September 16, 2024

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